

Alice Mathews (nee Laife)

MARCH 28, 1956.—Committed to the Committee of the Whole House and ordered to be printed

Mr. FEIGHAN, from the Committee on the Judiciary, submitted the following

REPORT

[To accompany H. J. Res. 581]

The Committee on the Judiciary, to whom was referred the joint resolution (H. J. Res. 581) to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of certain aliens, having considered the same, report favorably thereon with amendment and recommend that the joint resolution do pass.

The amendment is as follows:

On page 2, lines 10 and 11, strike out the following names:

"Alice Petrides (also known as Alice Defotiou and Alice Mathews)" and substitute the following: "Alice Mathews (nee Laife)".

PURPOSE OF THE JOINT RESOLUTION

The purpose of the joint resolution, as amended, is to waive certain subsections of section 212 (a) of the Immigration and Nationality Act in behalf of seven aliens. The resolution also provides that these exemptions shall apply only to grounds for exclusion of which the Department of State and the Department of Justice had knowledge prior to the enactment of this legislation.

The joint resolution has been amended to use the beneficiary's correct name.

GENERAL INFORMATION

The committee, desiring to lighten the burden of the Chief Executive and to shorten the time required for the consideration of Private Calendars on the floor of the House, has decided to include the names of several beneficiaries of pending bills in one joint resolution, after having considered each of the cases on their individual merits and having acquainted themselves with all the facts pertinent to each case.

Section 1 of the resolution waives the provision of subsection (9) of

section 212 (a) of the Immigration and Nationality Act in behalf of two persons who were the subjects of individual bills, as follows:

H. R. 1326, by Mr. O'Neill

H. R. 2251, by Mr. Allen of California

Section 2 of the resolution waives the provisions of subsections (9) and (12) of section 212 (a) of the Immigration and Nationality Act in behalf of two aliens who were the subjects of the following bills:

H. R. 4339, by Mr. Keogh

H. R. 6080, by Mr. Fascell

The beneficiary of section 3 (which waives the provisions of subsections (9) and (17) of the Immigration and Nationality Act) was the subject of the following bill:

H. R. 5816, by Mr. Wharton

Section 4 waives the provisions of subsections (9) and (19) of section 212 (a) of the Immigration and Nationality Act in behalf of two persons who were the subjects of the following bills:

H. R. 1397, by Mr. Price

H. R. 1682, by Mr. Machrowicz

A discussion of each case included in the joint resolution, with reports from the departments of the administration and such additional information as was obtained by the committee, appears below in the order that those cases appear in the resolution.

Anthony Asprakis.—H. R. 1326, by Mr. O'Neill

The beneficiary is a 37-year-old native and citizen of Greece who is inadmissible to the United States because of a conviction of theft in 1942 in Greece. He is the husband of a citizen of the United States who resides in Cambridge, Mass., with their four children who are also United States citizens.

The pertinent facts in this case are contained in a letter, dated June 1, 1955, from the Commissioner of Immigration and Naturalization to the Chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE.

Washington 25, D. C., June 1, 1956.

Hon. EMMANUEL CELLER,

Chairman, Committee on the Judiciary,

House of Representatives, Washington 25, D. C.

DEAR MR. CHAIRMAN: In response to your request for the Department of Justice for a report relative to the bill (H. R. 1326) for the relief of Anthony Asprakis, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Boston, Mass. office of this Service which has custody of those files.

The bill provides that notwithstanding the provision of section 212 (a) (9) of the Immigration and Nationality Act, the alien may be admitted to the United States for permanent residence if he is found to be otherwise admissible under the act. It further provides that this exemption shall apply only to a ground for exclusion of which the Department of State and the Department of Justice have knowledge prior to enactment.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE ANTHONY ASPRAKIS,
BENEFICIARY OF H. R. 1326

Information concerning the beneficiary of the bill was furnished by his sponsor wife, Panagiota Asprakis, a United States citizen who resides at 21 Essex Street, Cambridge, Mass.

The beneficiary, Anthony Asprakis, who has never resided in the United States, is a native and citizen of Greece, born July 26, 1918, in Calamata. He resides in Calamata, Greece, and is employed as a dockworker at very low wages. Mrs. Asprakis stated that her husband was arrested and convicted in Greece for stealing oil during the German occupation in January 1942. A certified copy and a translation of a record issued by the court of appeals in Nafplion, Greece, was presented to this Service by Mrs. Asprakis which she said related to her husband and reads as follows:

"Anthony John Asprakis, age 24, together with three other defendants, did on the night of the 6th, toward the dawn of the 7th of January 1942 at the warehouse of A. E. (name), which at the time was not inhabited, enter and take, knowing they were participating in a criminal pact, without permission, certain movable properties, i. e., 38 containers, so that they could keep same unlawfully as their own property. The value of the stolen items is over 510,000 drachmas; that all the defendants were sentenced to imprisonment for 2 years each, and that the time spent in detention was to be subtracted; that the defense attorney made a motion that two-thirds of the sentence be waived for each defendant and that the defendants be obligated to pay a fine as determined by the law; that the court determined that the fine for each defendant will be 200 drachmas daily for the remainder of their sentence of 1 year, 4 months, and 9 days which was not served in prison."

The sponsor stated her husband has had no formal education, and is not skilled in any profession. He has no assets and no close family relations other than his wife and children.

Mrs. Panagiota Asprakis nee Koulouras was born on December 19, 1911, in Woonsocket, R. I., and went to live in Greece when 10 years of age. She married the beneficiary on May 6, 1943, at Calamata, Greece. Four children were born of this marriage in Greece. The sponsor was admitted to the United States at New York, N. Y., on December 1, 1947, as a United States citizen. Her 4 children were admitted to the United States at New York, N. Y. on October 25, 1948, as nonquota immigrants. The sponsor is unemployed and receives a monthly mother's aid allowance of \$193 from the city of Cambridge, Mass. She has been receiving this support since February 2, 1951, and previously received welfare aid. The sponsor claims the beneficiary is unable to send her any money as he does not make enough in Greece to support himself.

Mr. O'Neill, the author of H. R. 1326, submitted the following letters in support of his bill:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D. C., January 19, 1956.

Re H. R. 1326.

Hon. FRANCIS E. WALTER,
*Chairman, House Subcommittee on Immigration
and Naturalization, Old House Office Building,
Washington, D. C.*

DEAR MR. CHAIRMAN: I am enclosing a letter which I have received this morning from Mrs. Pota Asprakis, 23 Essex Street, Cambridge, Mass., the wife of the beneficiary of the above-named bill.

The alien was convicted of a minor crime in Greece during the German occupation, and for that reason is inadmissible under the provisions of the McCarran-Walter Act.

This case has been pending before your committee since July of 1953. It would be appreciated if arrangements can be made to schedule the measure for a hearing at an early date.

Thank you for your courtesy.

Sincerely,

THOMAS P. O'NEILL, Jr.,
Member of Congress.

CAMBRIDGE, MASS., *January 18, 1956.*

Hon. THOMAS P. O'NEILL, Jr.
*Member of Congress, House of Representatives,
Washington, D. C.*

DEAR CONGRESSMAN O'NEILL: I am writing you at the beginning of the new session of Congress to remind you about the private bill (H. R. 1326) which you were so kind to introduce in the 84th Congress to help my husband (Anthony Asprakis) join me and our four children in the United States.

You wrote to Mrs. Musmanno of the State Immigration Office in June 1955, that the House Committee on the Judiciary was behind in its schedule and did not know when the bill would come up for hearing. Since I heard nothing more from you I believe nothing happened in the first session.

Do you think you can help me this year in trying to get some action on the bill?

I was born in this country and was taken to Greece by my mother when I was about 9 years old. I returned to the United States in 1947, as a United States citizen, bringing with me my four young children. I have been trying since 1947 to bring my husband here but have not as yet succeeded. My children are still young—the oldest child is 12 years of age and the youngest is 8 years of age. My children and I need my husband. I am unable to work on account of having to care for the children and have been supported by mother's aid. If my husband is allowed to join us, he will support us and we will no longer be a burden on the Government.

If the House Committee on the Judiciary desires any additional information in order to give consideration to the bill you filed for my husband, please let me know and I will send it to you.

I appreciate all you have done for me and sincerely thank you for your help.

Sincerely yours,

POTA (her X mark) ASPRAKIS
Mrs. Pota Asprakis.

MARY MUSMANNO,
Witness to Mark.

HELLENIC ORTHODOX COMMUNITY,
Cambridge, Mass., November 16, 1953.

THOMAS P. O'NEILL, JR.,
United States House of Representatives,
Washington, D. C.

DEAR MR. O'NEILL: I, Panagiota (Koulouras) Asprakis, was born in Woonsocket, R. I., on December 19, 1911. I was baptized in the Greek Orthodox Church at Providence, R. I., on January 28, 1912.

I was taken to Greece in 1921 with my mother, Fotoula Koulouras. I returned to the United States on December 1, 1947. I entered the country at Hoboken, N. J., on the ship *Marine Carp*, with an American passport for permanent residence.

I was married to Anthony John Asprakis, a native of Calamata, Greece, born on July 26, 1918, the wedding being solemnized at Calamata, Messenia, on the 6th day of May, in the year 1943, by the Reverend Dem. Chryssoulis, with the authorization of that diocese, bearing No. 390.

I have four children. They are: Frances, age 10, born in Calamata, Greece, on July 21, 1943; Helen born on November 2, 1944, in Calamata; George born on February 1946 at Calamata; and Anastasia born on October 4, 1947, also in Calamata, Greece.

My children arrived in the United States on October 25, 1948, at Hoboken, N. J., on the ship *Marine Carp*.

My parents' names were Apostolos and Fotine Koulouras. They were both born in Greece. They were married in Lowell, Mass.

Sincerely yours,

Mrs. PANAGIOTA ASPRAKIS.

Witnessed by:

Mrs. CHRISTINE COULOURAS.

Rev. ARTHUR METAXAS.

HELLENIC ORTHODOX COMMUNITY,
Cambridge, Mass.

To Whom It May Concern:

Mrs. Pota Asprakis, of 21st Essex Street, Cambridge, Mass. a member of the local Orthodox community, is well known to me. She has shown by her conduct and action to be a pious Christian and a devoted mother of her children. As such, she is worthy of any support accorded her so that her husband, Mr. Anthony Asprakis, be permitted to enter this country and reside with his family.

The local community would be very appreciative of any assistance accorded her.

Sincerely yours,

Rev. ARTHUR METAXAS, Minister.

Michael Alexis Melgunow—H. R. 2251, by Mr. Allen of California

The beneficiary is a native of Russia who is residing in the Far East and is employed by the steamship *Eastern Queen* of the Indo-China Steamship & Navigation Co., Ltd. He was refused a visa because of a conviction for forgery in China in 1925 or 1926. His wife became a naturalized citizen of the United States in 1930 and is presently employed as a representative of the University of California Extension in Berkeley, Calif.

The pertinent facts in this case are contained in a letter dated June 24, 1954, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary, regarding a bill (H. R. 7556) pending during the 83d Congress for the relief of the same person. That letter and accompanying memorandum read as follows:

JUNE 24, 1954.

Hon. CHAUNCEY W. REED,

*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 7556) for the relief of Michael Alexis Melgunow, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the San Francisco, Calif., office of this Service, which has custody of those files.

The bill would waive the provisions of section 212 (a) (9) of the Immigration and Nationality Act and permit the admission to the United States for permanent residence of the beneficiary if he is found to be otherwise admissible under the provisions of that act. The bill also provides that this exemption shall apply only to a ground for exclusion of which the Department of State or the Department of Justice have knowledge prior to the enactment of this act.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE MICHAEL ALEXIS
MELGUNOW, BENEFICIARY OF H. R. 7556

The beneficiary, Michael Alexis Melgunow, has never resided in the United States. He is presently residing in the Orient and is employed as a seaman on board the SS. *Eastern Queen* of the Indo-China Steamship Navigation Co., Ltd., Hong Kong, China. Information concerning him was furnished by his wife, Tatiana Melgunow, who resides at 942 Vermont Street, apartment 8, Oakland 10, Calif.

Sponsor, Mrs. Melgunow, states that she was born August 29, 1906, at Harbin, Manchuria, China, and that she was naturalized March 31, 1930, in the district court at Shoshone County, Wallace, Idaho. She is employed as a representative of the University of California Extension in Berkeley, Calif.

After her naturalization in 1930, the sponsor left the United States in company with her former husband, Sergey Evan Lavrov, and went to China in order that he might pursue his occupation as a mining engineer for the General Engineering Co., of Salt Lake City, Utah. They departed from Seattle, Wash., in April 1933, and proceeded to Dairen, Manchuria, where they resided until 1935 when they moved to Harbin, China. A child, Nicholas, was born in 1935 at Harbin. In 1936 she moved to Canton, China, remaining until about January 1938 when they moved to Hong Kong, China. They resided in Hong Kong until January 1939 and then moved to Shanghai, China. Her marriage to Mr. Lavrov was terminated by divorce at Shanghai October 9, 1940. On July 31, 1941, she was married in Shanghai, China, to the beneficiary. He had been previously married and was divorced May 14, 1941. The sponsor states that she and her present husband could not come to the United States because the war broke out, and they were forced to remain in China until the termination thereof. She returned to the United States November 5, 1945, as a repatriate. Her present husband, in whose behalf she submitted a petition for issuance of immigration visa, was refused issuance of the visa by the American consulate general in Shanghai, China, in July 1946. He is subject to exclusion from admission into the United States because of conviction for the crime of forgery committed at Harbin, China, in 1925, for which he served a sentence of 1 year and 2 months.

Sponsor receives approximately \$4,000 per annum as a salary from her employment as representative of the University of California Extension in Oakland, Calif.

The Director of the Visa Office, Department of State, also submitted a report on this case, which reads as follows:

DEPARTMENT OF STATE,
Washington, February 18, 1954.

HON. CHAUNCEY W. REED,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

MY DEAR MR. REED: Reference is made to your letter of February 3, 1954, and its enclosures, wherein you request a report of the facts in the case of Mr. Michael Alexis Melgunow, beneficiary of H. R. 7556, 83d Congress, 2d session. Reference is also made to the Department's interim reply of February 4, 1954.

According to the Department's records Mr. Melgunow admitted to an American consular officer abroad that he was convicted at Harbin, Manchuria, during 1925 or 1926 of forgery, a crime which has been held to involve moral turpitude within the meaning of section 3 of the act of February 5, 1917, as amended. The responsible consular officer had no choice, therefore, but to withhold the issuance of a visa to Mr. Melgunow under the provision of law cited.

If Mr. Melgunow was not under the age of 18 years when he was convicted of forgery in 1925 or 1926, for which he served a prison sentence of 1 year and 2 months, he is ineligible to receive a visa and

excludable from admission into the United States by reason of section 212 (a) (9) of the Immigration and Nationality Act, which repealed the act of February 5, 1917, and certain other immigration laws.

At this time, the Department has no knowledge of any factor in Mr. Melgunow's case, other than the information hereinbefore cited, which would render him ineligible to receive an immigrant visa. However, it should be borne in mind that any other ground of ineligibility which may come to light prior to visa issuance would preclude Mr. Melgunow from receiving a visa.

Sincerely yours,

EDWARD S. MANEY,
Director, Visa Office
(For the Acting Secretary of State).

Mr. Allen of California, the author of H. R. 2251, appeared before a subcommittee of the Committee on the Judiciary and testified in support of his measure, as follows:

Mr. Chairman, H. R. 2251 has for its purpose the admission of Michael Alexis Melgunow, born October 31, 1902, in Moscow, Russia. Mrs. Tatiana N. Melgunow met the beneficiary in Shanghai and married him in 1941. Mrs. Melgunow was born August 29, 1906, at Harbin, Manchuria, China, and was naturalized March 31, 1930, in the district court of Shoshone Conty, Idaho. She is employed as a representative of the University of California Extension in Oakland, Calif. at a salary of approximately \$4,000 per annum.

Mr. Melgunow is subject to exclusion from admission into the United States because of a conviction for the crime of forgery committed at Harbin, China, in 1925, for which he served a sentence of 1 year and 2 months. For this conviction, over 31 years ago, the beneficiary was refused the issuance of a visa by the American consulate general in Shanghai, China, in July 1946. Mr. Melgunow has never resided in the United States. He is presently employed as a seaman aboard the SS. *Eastern Queen* of the Indo-China Steam Navigation Co., Ltd., Hongkong, China.

Mr. Melgunow was a cadet in the First Moscow Military Cadet Corps at the age of 10. When he was 13 he volunteered and served for 2 years in the front lines in continual combat with the 146th Russian Infantry Regiment of the 37th Division Form in southwest Austria in the First World War. His family was one of the oldest and most prominent in old Russia. His father was a member of Parliament and an officer of the Czar's Army. He returned home in 1918 to find the family estates confiscated and burned. He joined the White Russian Army and went to Siberia. In 1920 he joined the Military Cadet Corps in Vladivostok and completed his education. In 1921 he rejoined the White Army, and was interned in Kirin, North China, in 1922. He escaped after 7 months and arrived in Harbin, Manchuria, in 1923. In 1925 he was convicted of forgery by the Chinese Court in Harbin, Manchuria, for cashing forged checks given to him by an acquaintance and served a prison sentence of 1 year and 2 months.

Shortly afterward he left for Shanghai, became manager of the Broadway Mansions Hotel and served as civilian manager for our Air Force when Broadway Mansions was occupied by the USAAF after World War II.

Later Mr. Melgunow left the Broadway Mansions and joined an importing firm in Shanghai, handling several American agencies. At that time many expected great opportunities in the liberated Chinese market. Since March 1949 to the present time the beneficiary has been serving the Indo-China Steam Navigation Co., Ltd., as a ship's police officer; their vessels ply between Japan and India and often reach Hong Kong.

In World War II, while managing the Broadway Mansions Hotel, the beneficiary was always loyal and devoted to the Allied cause and never in any way collaborated with the Japanese. The beneficiary's record throughout his life has been one of firm opposition to communism and of friendship to nationals of our own country and England, as well as to the Chinese Nationalists.

Mrs. Melgunow was married from 1930 to 1940 to Sergey Evan Lavrov, an American citizen and employee of a Utah engineering company. They departed Seattle in 1933 for Manchuria where they had a son in 1935. Her marriage to Mr. Lavrov was terminated by divorce at Shanghai in 1940. In July 1941 she married Mr. Melgunow, who had also been previously married, and was divorced in May 1941. Because of the war in China they were forced to remain until its termination. Mrs. Melgunow returned to the United States in November 1945 as a repatriate; the beneficiary was refused issuance of a visa for his first and only crime 20 years prior. Mrs. Melgunow's present address is 942 Vermont Street, Oakland 10, Calif.

My bill for Mr. Melgunow's relief, H. R. 7556 of the 83d Congress, was not acted upon.

I therefore request that H. R. 2251 be given favorable consideration by this committee.

In support of the above facts, I submit excerpts from letters written to me by the following:

Michael A. Melgunow, beneficiary, Indo-China Steam Navigation Co., Ltd., February 20, 1954:

"I sincerely hope your efforts will succeed and I will be lawfully admitted to the United States where, by working hard, I will be able to become a useful citizen.

"There are a number of reasons why I am so anxious to come to the United States.

"The first is a personal reason. I have been separated from my wife, an American citizen, for over 8 years. During that time my wife has had to work very hard, and I firmly believe it is my responsibility to support her now. Being abroad, and receiving my salary in foreign currency limits drastically my assistance, where were I in the United States my earnings would have been sufficient to provide for her needs.

"The second reason is my faith in democracy. Since early boyhood I have cherished freedom and fought for it. My

record shows that I fought in the Russian Army in the First World War, and later on fought against Communists until my escape to China in the early twenties. Now my political views would effectively bar me from life in any but Democratic countries.

"Finally I have always believed in free enterprise. My business training has qualified me to pursue a business career. Now having been deprived from permanent domicile I am following the totally different career of a seafaring man instead of a business man.

"There are many other reasons too, but I am not going to take up your time, stating all of them; however, all that I want to say is that if your bill goes through I will do my best to justify your confidence in my wife's judgment of my character and ability."

Nicholas Slobodchikoff, Pacific Gas & Electric Co., 448 43d Avenue, San Francisco, March 28, 1954:

"I have recently been advised by Mrs. Tatiana M. Melgunow, the wife of Michael Alexis Melgunow, that you have introduced a bill in Mr. Melgunow's behalf.

"I have known Mr. Melgunow since 1935.

"To the best of my knowledge and belief Mr. Melgunow has always been loyal to the Allied cause and has never collaborated with the Japanese. I believe Mr. Melgunow to be honest, energetic, and able. I feel certain that given a chance to establish his home in the United States, he will prove to be a loyal citizen.

"In view of the above, I sincerely hope that the confidence you are placing in Mr. Melgunow will be fully justified. Also it will enable him to join his wife and her son, who have been separated from Mr. Melgunow for over 8 years."

Nicholas Bashkevitch, Van Etta Motors, 746 6th Avenue, San Francisco, March 16, 1954:

"* * * As an old friend of Michael's, I wish to express my sincere gratitude for your efforts in his behalf. I have known Mr. Melgunow for over 30 years and this letter is motivated solely by my sincere conviction that Michael fully deserves the confidence you are placing in him and that given a chance to establish permanent residence in the United States, he will prove himself a loyal American and a useful member of society.

"I am well acquainted with Michael's case and I wish to bring to your attention the following facts:

"During the First World War, when 13 years of age, Michael left the First Moscow Military Cadet Corps School he was at the time attending and volunteered. He fought valiantly in the front lines of the Imperial Russian Army. Upon his return home in 1918, he found that his father's estates had been confiscated, burned, and looted. Michael immediately joined the White Army and fought valiantly against the Communist regime. In 1922, when the White movement was disintegrating, the White Army crossed the Siberian border into China, where they were all interned by the Chinese Government in the town of Kirin, north China.

Seven months later Michael escaped and arrived in Harbin, Manchuria.

"It seems to me that the mistakes of youth of that turbulent period should not be judged too harshly. Boys, like Michael, who spent the years of their adolescence in defending their country from a ruthless enemy and waging the most terrible war of all, the civil war. Many of them, like Michael, had to leave their loved ones, their homes, all their ties and start anew in a strange land. Many of them, like Michael, knew that their families were facing hunger and privations.

"I also wish to add that I was in the employ of the Shanghai Heng Chang Co. as head chauffeur at the Broadway Mansions Hotel from 1939 to 1943, at the time when Michael was manager. I want to stress that I consider him efficient, energetic, able, honest, and very fair in all his dealings with employees. Also that to the best of my knowledge and belief Michael has always been loyal and devoted to the Allied cause and has never in any way or manner collaborated with the Japanese.

"I have known Mrs. Melgunow and her son, Nicholas, since 1939, and have always had great respect for Mrs. Melgunow and I know that Michael adores his wife and her son.

"It is my sincere conviction, therefore, that anything that can be done to help Mr. Melgunow to establish his home in the United States will not only save Michael, but will also bring happiness into the lives of Mrs. Melgunow and her son, Nicholas."

Glen D. Litchfield, La Interamericana, S. A., Avenida Morelos 110, Apartado Postal 21145, Mexico 1, D. F., March 26, 1954:

"My acquaintance with Mr. Melgunow was limited to a period beginning December 1941 and continuing to September 1942. During this period I was a prisoner-at-large of the Japanese in Shanghai. Between December 1941 when the war began and September 1942 when I was interned, Mr. Melgunow at considerable personal risk to himself helped me and my friends, as well as the American company with which I was associated, financially on several occasions. I and those who were associated with me at the time have a deep sense of gratitude to Mr. Melgunow for his courageous assistance to us during that critical time and for his unshaken confidence during those dark days in the ultimate Allied victory that was finally ours."

S. E. Lavrov (Major, AUS Reserve), mining engineer, 33 St. George's Building, Hong Kong, B. C. C., April 24, 1954:

"I have known Mr. Melgunow since 1945 when he was the manager of Broadway Mansions in Shanghai which was under supervision of United States Army and up to the present time.

"Now Mr. Melgunow is employed by the Indo-China Steam Navigation Co. in Hong Kong as security guard on their vessels plying between Japan and India and when Mr.

Melgunow is in Hong Kong he spends most of his free time with me.

"Mr. Melgunow has excellent references from his company and he has received several promotions from his company in the 5 years that he is working for them.

"During the past 8 years that I have known Mr. Melgunow I have formed a very good opinion of his character and feel quite confident that should he be admitted to the United States, he would make a loyal citizen and a worthy member of the community where he will make his home."

Leonard S. Skoblin, Radio Corporation of America, 31 Madeiros Building, Cecil Street, Singapore, April 3, 1954:

"I first met Mr. Michael Alexis Melgunow in Shanghai, China, shortly before the last world war. He was, at that time, the manager of Broadway Mansions, one of the largest and best hotels in the city. Mr. Melgunow has enjoyed respect and good standing. Otherwise, he could not have held this position in a rather closely knit foreign community.

"After the termination of the war, when I was released from the Japanese concentration camp in Pootung, Shanghai, where I was interned for almost 4 years as a civilian American citizen, I again met Mr. Melgunow. He was still managing Broadway Mansions. However, he was then doing that for the United States Armed Forces, who requisitioned the hotel for their officer's quarters.

"Later, Mr. Melgunow left Broadway Mansions and joined an importing firm in Shanghai, handling several American agencies. At that time, many expected great opportunities in the liberated Chinese market.

"As I was assigned by our company to cover Southeast Asia, with headquarters in Singapore, I lost sight of Mr. Melgunow for some period again. Then, at the beginning of 1949, under Communist pressure, the Chinese Nationalist Government collapsed and great exodus of foreign and particularly Russian community started from Shanghai. One day, Mr. Melgunow came to my office in Singapore. He was passing through on the ship of Indo-China Steam Navigation Co., Ltd., where he was a member of the antibandit ship's police force. Mr. Melgunow is still serving the above steamship company.

"At first sight, it was a startling transformation from the managership of one of the most important hotels in the Eastern metropolis and of a business representative to the ship's police officer. But, it was logical in the case of Mr. Melgunow. As a matter of fact, he could not have acted very well otherwise and still escape invading Communists. Being a Russian emigre and having no hope to get a visa to any country quickly, he naturally grasped at the opportunity to get a job on a British ship and leave Shanghai. It was the only feasible means of refuge with employment until things clarify and he may have a chance to be admitted as an immigrant in a country he would like to settle permanently.

"In this respect, Mr. Melgunow deserves commendation for his courage, determination, patience, and perseverance. Unlike many others who waited to be saved through charitable institutions as International Red Cross organization—IRO—he did that at his own risk and initiative. It seems to me that, for this alone, he deserves consideration of his petition so that at long last he may join his wife and growing son in the United States and eventually call it his own."

Mrs. Tatiana N. Melgunow, wife of beneficiary, care of University Extension, 1730 Franklin Street, Oakland 12, Calif., October 26, 1954:

"* * * For the past 6 years, my husband, a man without a country, has been sailing on the waters of the Pacific, from port to port, unable to land anywhere. For the past 9 years my son and I have been separated from my husband.

"* * * For the past 9 years my son's little world and my own have never been right. A man, with as splendid a record of achievement as Michael's, has, through a mistake in his youth made almost 30 years ago, been deprived of a place in the sun, of his family and of any dignity and peace of mind.

"Michael was born in Russia in 1902 into one of the oldest and most prominent families of old Russia. His father was a member of Parliament and an officer of the Czar's army. His uncle, the famous Stalipin, minister of the Czar, advocated land reforms, which would have thwarted the revolutionaries' designs and struck at their very base, had he not been assassinated by the revolutionaries and thus prevented from carrying them out.

"* * * It is my sincere conviction that Michael has never been a Communist sympathizer and that he has always been loyal to the Allied cause.

"* * * I met Michael in Shanghai, and married him in 1941. For the past 6 years I have been employed by the regents of the University of California in the capacity of University of California Extension representative in the city of Oakland.

"Michael is now dying a slow death, as what has this man to live for? My son and I are searching our souls for an answer; can mercy and justice combine to save a man and to reunite him with his family?"

Maria P. Morra—H. R. 4339, by Mr. Keogh.

The beneficiary is a 26-year-old native and citizen of Austria who is the wife of a citizen of the United States. She was refused a visa under the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act, concerning the inadmissibility of aliens who have been convicted of crimes involving moral turpitude and who have engaged in the practice of prostitution.

Certain pertinent facts in this case are contained in a letter dated May 31, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter, and accompanying memorandum, reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington 25, D. C., May 31, 1955.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives, Washington 25, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to bill (H. R. 4339) for the relief of Maria P. Morra, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the New York, N. Y., office of this Service, which has custody of those files.

The bill should also exempt the beneficiary from the provisions of section 212 (a) (9) of the Immigration and Nationality Act, which excludes from admission to the United States aliens convicted of crimes involving moral turpitude, if she is found to be otherwise admissible under the provisions of that act.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE MARIA P. MORRA,
BENEFICIARY OF H. R. 4339

Information concerning the beneficiary was furnished by her sponsor/husband Paul Morra, a United States citizen. He resides at 53 Jerome Street, Brooklyn, N. Y.

The beneficiary Maria P. Morra, nee Palmstorfer, born August 29, 1929, is a native and citizen of Austria. She was arrested in Austria in 1950 and charged with prostitution. In order to avoid being detained indefinitely she pleaded guilty, and paid a small fine. On October 24, 1953, she and the sponsor were married in Austria. The beneficiary resides with her Austrian citizen parents in that country. They and the sponsor furnish all her necessary needs. The beneficiary received the equivalent of a high school education in her native country. She has one sister, a resident and citizen of Austria.

The sponsor enlisted in the United States Army on October 18, 1951, and was honorably discharged on October 17, 1953. He is employed as a block operator, by the Pennsylvania Railroad in New York, N. Y., and earns a salary of \$84 a week.

The Director of the Visa Office, Department of State, also submitted a report on this case which reads as follows:

DEPARTMENT OF STATE,
Washington, June 22, 1955.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives.

DEAR MR. CELLER: Reference is made to your letter of March 3, 1955, and its enclosures, wherein you requested a report of the facts

in the case of Mrs. Maria P. Morra, beneficiary of H. R. 4339, 84th Congress, 1st session.

A report recently received by the Department from the American consulate at Salzburg, Austria, states that the usual investigation revealed that Mrs. Morra has been convicted twice by the district court in Salzburg for vagabondage (once on February 21, 1948, and again on February 1, 1949) and again by the same court for assault and battery on December 20, 1950. In an interview conducted on July 27, 1954, to determine the precise nature of the first two convictions, Mrs. Morra stated to a consular officer that while the first was merely for not having proper identity and working papers, the second was for secret prostitution (i. e. practicing prostitution without being properly licensed). The 1948 conviction resulted in a sentence of 4 weeks, the 1949 conviction in 1 of 6 weeks. The 1950 conviction resulted in a 50 shilling (\$2) fine.

On the basis of the foregoing, the Consulate General reports that Mrs. Morra was notified on July 27, 1954, that she was inadmissible under section 212 (a) (12) of the Immigration and Nationality Act.

The consular officer is presently awaiting the submission of the court records for the applicant. When these are received in the Department, copies thereof will be submitted to the committee.

At this time the Department has no knowledge of any factor in Mrs. Morra's case, other than the information hereinbefore cited, which would render her ineligible to receive an immigrant visa. However, it should be borne in mind that any other ground of ineligibility which may come to light prior to visa issuance would preclude her from receiving a visa.

Sincerely yours,

ROLLAND WELCH,
Director, Visa Office.

Lucy (Lucia) Bisanti—H. R. 6080, by Mr. Fascell

The beneficiary, Mrs. Lucy Bisanti, is a 49-year-old native and citizen of Canada who has been found inadmissible to the United States under the provisions of section 212 (a) (9) and (12) of the Immigration and Nationality Act.

During the years 1937-41, Mrs. Bisanti was the owner of six parcels of real property in Montreal, Canada, which was purchased from the Royal Trust Company of Montreal subject to the leases then in existence. On September 12, 1941, Mrs. Bisanti plead guilty to charges of keeping disorderly houses and paid a fine of \$25 for each of the 6 offenses, although she was not operating the disorderly houses but was the owner of the property on which they were located. Four of the tenants were persuaded to vacate the premises shortly thereafter, and the remaining two tenants were evicted after the Canadian Federal Rental Control Board canceled their leases on moral grounds.

Mrs. Bisanti has been permitted to enter the United States temporarily on numerous occasions and resides in Florida where she and her husband have a home.

Certain pertinent facts in this case are contained in a letter, dated September 14, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum reads as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington, D. C., September 14, 1955.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives,
Washington, D. C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 6080) for the relief of Mrs. Lucy (Lucia) Bisanti, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Washington, D. C. office of this Service, which has custody of those files.

The bill would waive the provisions of section 212 (a) (9) of the Immigration and Nationality Act which exclude from admission into the United States aliens who have been convicted of a crime involving moral turpitude. The bill further provides that this exemption from the excluding provisions of the Immigration and Nationality Act shall apply only to a ground for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this act. In this connection, it appears that Mrs. Bisanti is also excludable from admission into the United States under section 212 (a) (12) of the Immigration and Nationality Act as an alien who has received in whole or in part the proceeds of prostitution.

The committee may wish to amend the bill accordingly.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE MRS. LUCY (LUCIA)
BISANTI, BENEFICIARY OF H. R. 6080

Mrs. Bisanti is a native and citizen of Canada. She was born in Montreal, Canada, on March 7, 1906. She resides at 29 Maplewood Avenue, Autremont, Montreal, Canada, with her husband, Angelo Bisanti, and daughter, Bella Bisanti, who are citizens of Canada. Mrs. Bisanti is a housewife and is dependent upon her husband for support.

Mrs. Bisanti states that she was convicted in Montreal, Quebec, Canada, on September 12, 1941, on the charge of keeping a disorderly house and was fined \$25. She states, however, that she was not the keeper of the disorderly house but the owner of the building. In view of the foregoing, it appears that Mrs. Bisanti is not only excludable from admission into the United States under paragraph 9 of section 212 (a) of the Immigration and Nationality Act but also under paragraph 12 of section 212 (a) of that act as an alien who has received in whole or in part the proceeds of prostitution. It may be noted that she has been admitted to the United States as a visitor for temporary periods of time under the provisions of section 212 (d) (3) of the Immigration and Nationality Act. Mrs. Bisanti was last admitted to the United States at Rouses Point, N. Y., on January 16, 1955, as a visitor. She returned to Canada on April 15, 1955.

Mr. Bisanti owns and operates two restaurants in Montreal, Canada. He also owns a home in Miami Beach, Fla., which is valued at approximately \$60,000.

The committee may wish to communicate with the Bureau of Security and Consular Affairs of the Department of State for additional information concerning the beneficiary.

Mr. Fascell, the author of H. R. 6080, submitted the following letters and statements in support of his measure:

[Exhibit attached to original copy]

Before the Department of Justice, Immigration and Naturalization Service, Washington 25, D. C.

Re Mrs. Lucy Bisante nee Delicato, Bureau of Immigration—File No. 0109-5770

BRIEF OF APPLICANT UPON APPEAL AND APPLICATION FOR RELIEF
UNDER THE NINTH PROVISIO

I. INTRODUCTORY STATEMENT

On October 16, 1951, the applicant Mrs. Lucy Bisante was accorded a hearing before the board of special inquiry at Montreal, Canada, upon her request for permission to enter the United States as a temporary visitor.

The board of special inquiry found upon the facts of record that under section 3 of the Immigration Act of February 5, 1917, the applicant is inadmissible to the United States as a person who admits and has been convicted on six occasions of a crime involving moral turpitude to wit: keeper of a bawdy house. The case is now before the Bureau of Immigration and Naturalization upon appeal.

II. APPLICATION FOR EXERCISE OF NINTH PROVISIO

Since it is not possible for the Bureau to go beyond the fact that applicant actually entered a plea of guilty to the charge of keeping a disorderly house and because the language of inadmissibility for the exercise by the Commission of Immigration and Naturalization and by the Attorney General of the United States of the discretion vested in them by the ninth proviso to section 3 of the Immigration Act of February 5, 1917, to admit applicant temporarily to the United States.

In support of this application the following is respectfully submitted.

III. APPLICANT WAS NOT GUILTY OF CRIME CHARGED

Although the Bureau, in considering an appeal, cannot go back of a record showing the conviction of a crime, it is respectfully submitted that in determining whether or not an inadmissible person should be admitted within the discretion of the Attorney General, the facts surrounding a conviction which will show the attitude and interest of the applicant are probative of her character and are properly to be considered.

The record shows that during the years 1937-41, applicant was the owner of six parcels of real property in Montreal which was purchased from the Royal Trust Co. of Montreal. The premises where purchased subject to the leases then in existence and during the period here in question were tenanted by the same persons. The record shows that the tenants of these 6 premises purchased by application were operating disorderly houses. On August 13, 1941, a complaint in the nature of an information was filed alleging that from April 7, 1940, to April 7, 1941, applicant kept a disorderly house at each of the 6 separate premises. On September 12, 1941, applicant pleaded guilty to the charges and paid a fine of \$25 for each offense charged.

Applicant was not then nor has she since been the proprietor or entrepreneur of such an establishment. That fact is shown by the testimony of applicant taken at the hearing and by a statement submitted by the assistant crown clerk and made part of the record. The assistant crown clerk stated that he had been the acting clerk in the case in which the applicant was charged and, while the charge was made as keeper of a disorderly house, that applicant was not on the premises during the raids; that she was the owner of the buildings in which the criminal activities were carried on but that she was not acting as "housekeeper."

The applicant's relationship to these activities is remote as further shown by the fact that one information dated in August 1941 charged six separate offenses ending in April of that year. There appears to be no connection between the actual operation of the houses and applicant's ownership of the buildings. The small fines assessed also point to this remoteness since under Canadian law the keeping of a disorderly house constitutes an indictable offense punishable by a year in prison.

Applicant submits that the charges could not have been proven had she elected to stand trial but that upon advice of counsel in order to avoid the publicity of such action she elected to pay the small fines demanded by the Government, believing at the time that she was being fined for the ownership of buildings which her tenants were using for disorderly purposes.

The findings of fact made by the board of special inquiry and upon which was based the decision of inadmissibility, contain references to only the 1941 plea of guilty to the six simultaneous charges of keeping a disorderly house. Since there are 4 additional charges in the record and since the board will consider the record as a whole, applicant desires to show that in these 4 instances as in the 6 simultaneous charges her only actual involvement, if any, was by reason of her ownership of the buildings. These charges as shown on the records of the RCMP in Ottawa are for keeping a disorderly house (September 18, 1937) and for being found in a disorderly house (June 23, 1938; September 19, 1938; and April 8, 1941).

Applicant offers as exhibit No. 1 a statement of the deputy crown clerk who states that there is nothing in the official records of the peace office in Montreal for the year 1936, 1937, and 1938, showing applicant as having been incriminated as "housekeeper" or "found in" in a disorderly house.

There is no explanation on the record as to how the RCMP could have such records when none can be found in the police records in

Montreal. It is to be noted that the report of the RCMP states that the 4 charges are not supported by fingerprints while the 6 simultaneous charges are so supported. However, even assuming that such charges are actually made, applicant testified that her only connection with these activities was as the owner of the buildings.

Since the crown clerk had furnished a statement for the record to the effect that in the 1941 cases applicant was in fact only the owner of the premises and not the "housekeeper" further inquiry was made of him regarding the four previous cases. The clerk states that he has been the clerk of court for over 30 years and knows it to be a fact that applicant has never been a "housekeeper" in any instance of the official records of the peace office in Montreal.

Applicant owned property which was used for disorderly purposes but she was not a party to such activities and has now disposed of all of the property except two parcels which are operated as roominghouses by the tenants thereof and against which no complaints have been made for 10 years.

IV. APPLICANT HAS ACCOMPLISHED COMPLETE REHABILITATION DURING PAST 10 YEARS

Even assuming that applicant had been actually guilty of a crime involving moral turpitude in 1941, she has now become completely rehabilitated as shown by her general conduct and her reputation both in Canada and the United States for the 10 years last past.

Applicant, a native Canadian of Italian extraction, is the wife of Angelo Bisante whom she married 24 years ago. They have a daughter born in 1945. Applicant is a resident of Montreal where her husband is in business as the proprietor of a successful restaurant. They own together a house in Miami, Fla., which they purchased 3 years ago. It has been their custom to vacation at various places in the United States and several years ago they began to spend the cold winter months in Miami. They lived for a time in rented quarters but for the past 3 years have owned their own house.

The fact that applicant is seeking permission for temporary admittance to the United States is proof of her interest in her child and probative of the kind of mother she is. The child is subject to persistent bronchitis and her physician has recommended that she be taken to a temperate climate during the cold winter months. (See exhibit 2, statement of Dr. Frank Beall.) For this reason, applicant and her husband have spent the last six winters in Florida.

* * * * *

V. CONCLUSION

Applicant was not in fact the keeper of a disorderly house at any time in spite of the fact that to avoid the publicity of a trial she pleaded guilty to such charges. However, even if she had been guilty as charged her conduct in her home community and in the United States for the last 10 years clearly indicate that she has been and is now a dutiful wife, a loving mother, a person respected in her community and in her church.

Applicant is prepared to furnish bond in an amount satisfactory to the Bureau in connection with this application.

Applicant avers that this record shows her to be a person well deserving of the exercise of the discretion of the Commissioner and the Attorney General in granting her permission to enter the United States for a temporary period and respectfully requests that such permission be granted under the ninth proviso.

Respectfully submitted.

By (Signed) LUCY BISANTE,
RALPH E. CURTISS,
Her Attorney

Todd, Dillon & Curtiss, of counsel, 944 Washington Building,
Washington, D. C.

[Copy]

MONTREAL, December 16, 1952.

To Whom It May Concern:

This is to certify that I have attended Bella Bisante medically for some years and I have strongly recommended that she be taken to a warmer and more sunny climate because of her asthmatic bronchitis which she develops here each winter and spends most of her time in bed in the house even at times developing broncho-pneumonia.

It is imperative that her mother accompany her because of special care and she is only a young child.

I recommend the entire winter.

I would be very grateful for your full cooperation.

(Signed) FRANK G. BEALLS, M. D.

OFFICE OF THE CLERK OF THE CROWN,
Courthouse, Montreal, December 10, 1951.

To Whom It May Concern:

I have made further and thorough searches regarding the years 1936, 1937, and 1938, concerning a conviction against Marie Rose Lucy Delicato, and as previously stated there is nothing in the official records of the Peace Office, Courthouse, Montreal, showing the above-named person as having been incriminated as housekeeper or found in a disorderly house.

As clerk of the court for over 30 years, I am in a position to certify, knowing it to be a fact, that Marie Rose Lucy Delicato has never been a housekeeper in any instance of the official records of the Peace Office, Courthouse, Montreal, as it has been clearly explained and defined in the accusations of 1941, that she was only owner or proprietor of such properties in which raids had been conducted.

And, I have signed,

(Signed) OVIDE LECLERC,
Deputy Clerk of the Court,
New Courthouse, Montreal;

SOLEMN DECLARATION

Re Mrs. Lucy Bisante nee Delicato, Bureau of Immigration No. 0109-5770.

I, the undersigned, a judge of the Sessions of the Peace for the Province of Quebec, sitting in Montreal do solemnly declare:

I have been practicing at the bar of Montreal for the last 40 years and was appointed on the bench in the month of April 1947.

Before my appointment, I was chief crown prosecutor (district attorney) for the district of Montreal between the years 1936 and 1947.

The applicant is Mrs. Lucy Delicato Bisante.

I have known Mr. and Mrs. Bisante for about 30 years and have acted as their attorney and counsel on many occasions.

I am well aware of all the facts mentioned in the brief prepared by Rodolphe Camirand, K. C., and also of letters of recommendation in support of the application of Mrs. Bisante for temporary entry to the United States.

It is to my personal knowledge that, in the last 10 years, Mrs. Bisante has rehabilitated herself, is now considered a good citizen, and is bringing up her child very well, giving her the best possible care and attention.

In the last 5 or 6 years, I have been visiting Miami Beach practically every winter and I had occasion to visit the Bisante couple in their own home in Miami.

It is also to my knowledge, for having visited him in the hospital in Miami, that Mr. Bisante's health required medical attention and with medical recommendation in view, Mr. Bisante has bought a residence for his family in Miami, which he intends to occupy with his family every winter.

I do solemnly declare that the above facts are true and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the Canada Evidence Act.

(Signed) Judge OSCAR GAGNON.

Declared before me at Montreal, this 10th day of December 1951.

(Signed) Judge IRENEE LAGARDE.

MIAMI, FLA.

HON. DANTE B. FASCELL,

House of Representatives, Washington, D. C.

DEAR MR. FASCELL: To further clarify the situation, this is to advise you, that immediately after September 1941, I took the necessary steps to have the undesirable tenants evicted from my properties and for whom I had been brought before the Circuit Court of Montreal and charged as being the owner of premises leased to persons of immoral character.

It is a matter of record that when I acquired these properties they already were subject to the leases then in existence and during the period in question were tenanted by the same persons. At the time I could only respect the existing leases.

Following the month of September 1941, I engaged the services of a very prominent attorney of Montreal, Maitre Rodolphe Camirand,

C. R., and together we succeeded in having 4 of the 6 unwanted tenants to vacate the premises permanently. By using the argument that I had been found in default for having tolerated them as tenants they had no alternative but to move out of premises they had occupied for a long time even before I have acquired the properties myself. As for the remaining two tenants we had to apply to the Federal Rental Control Board to have their leases canceled on moral grounds. I am glad to say that we succeeded in having them also vacate the leased houses although it took an order of the rental court to have them do so. By the end of June of 1942 we were at last free of these people.

I was at last liberated of my leased contracts to these tenants for whom I had been brought before a court of justice.

After consultation and on the advice of my attorney, very shortly afterward, I completely disposed of these properties by selling them one by one and I am glad to be able to state that by the end of the year 1942 I had sold them all.

May I add that I am at your disposal for any further information you may require.

With kindest personal regards from myself and Mr. Bisante, I remain,

Yours very sincerely,

LUCY DELICATO BISANTE.

Kaare Moe Johnsen—H. R. 5816, by Mr. Wharton

The beneficiary, Mr. Kaare Moe Johnsen, is a 32-year-old native and citizen of Norway who is the husband of a citizen of the United States. Mr. and Mrs. Johnsen are presently residing in Norway, and he has been refused a visa to enter this country because of a conviction in Norway in 1945 for crimes involving moral turpitude and because he was deported from the United States on one occasion. Mr. Johnsen's only entry into the United States was in 1946 as a seaman and was deported on the grounds that he remained in the United States longer than permitted by law, and his wife voluntarily accompanied him to Norway. Mr. and Mrs. Johnsen are the parents of one child who is also a citizen of the United States.

The pertinent facts in this case are contained in a letter, dated December 5, 1955, from the Commissioner of Immigration and Naturalization to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington 25, D. C., December 5, 1955.

HON. EMANUEL CELLER,

Chairman, Committee on the Judiciary,

House of Representatives, Washington 25, D. C.

DEAR MR. CHAIRMAN: In response to your request for a report relative to the bill (H. R. 5816) for the relief of Kaare Moe Johnsen, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Buffalo, N. Y., office of this Service, which has custody of those files.

The bill would waive the provisions of the Immigration and Nationality Act which exclude from admission into the United States aliens who have been convicted of crimes involving moral turpitude and who have been arrested and deported from the United States, and would authorize the alien's admission for permanent residence if he is found to be otherwise admissible under the provisions of that act. It would also provide that this exemption shall apply only to grounds for exclusion of which the Department of State or the Department of Justice had knowledge prior to enactment.

Sincerely,

J. M. SWING, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE KAARE MOE JOHNSEN,
BENEFICIARY OF H. R. 5816

Information concerning this case was obtained from the beneficiary by correspondence, and from Mr. and Mrs. Vincent Lawson, the beneficiary's uncle and aunt.

The beneficiary, Kaare Moe Johnsen, a native and citizen of Norway, was born on March 21, 1923. He married Florence May Wilsey, a United States citizen, at Charlottesville, N. Y., on May 18, 1952, and they are the parents of a daughter, Helen Christine. Both the wife and daughter reside with the beneficiary at Venstop Gjarpn, Pr. Skein, Norway, and are wholly dependent on him for support. The wife and child are registered at the American Embassy, Stortingsgaten, Norway, as American citizens.

Mr. Johnsen has a grammar-school education and is employed by the Norsk Hydro Co., Heroya, Norway, where he earns an average of 225 kroner or approximately \$35 per week. He has no assets.

The beneficiary's only entry into the United States occurred at the port of New York on February 1, 1946, as a seaman. On May 3, 1953, a warrant of deportation was issued on the ground that after his admission as a seaman, he remained in the United States for a longer time than permitted. He was deported from the United States on December 13, 1953. His wife voluntarily accompanied him to Norway. Permission to reapply for admission into the United States after deportation was denied on July 13, 1955, and affirmed on appeal on September 2, 1955. In addition the beneficiary has also been refused a visa to enter the United States by the American consulate in Oslo, Norway, because of a conviction on March 2, 1945, in Skein, Norway, of a crime involving moral turpitude, to wit, theft, for which he was sentenced to a 6 months' prison sentence. The committee may desire to request the Bureau of Security and Consular Affairs, Department of State, to secure information in this connection.

The Director of the Visa Office, Department of State, also submitted a report on this case which reads as follows:

DEPARTMENT OF STATE,
Washington, D. C., June 22, 1955.

Hon. EMANUEL CELLER,
Chairman, Committee on the Judiciary,
House of Representatives.

DEAR MR. CELLER: Reference is made to your letter of April 25, 1955, and its enclosures wherein you requested a report of the facts in the case of Mr. Kaare Moe Johnsen, beneficiary of H. R. 5816, 84th Congress, 1st session.

A report recently received by the Department from the American Embassy at Oslo, Norway, states that Mr. Johnsen was convicted by the court at Skien, Norway, in 1945, on several counts of the crimes of grand larceny and theft which crimes took place during the year of 1945. He was sentenced to 6 months in jail for the commission of these crimes. The total value of the stolen goods was estimated at \$37. On the basis of these convictions, which came to light after Mr. Johnsen had entered the United States, he was deported from this country to Norway.

In view of the foregoing Mr. Johnsen has been considered ineligible to receive a visa under the provisions of sections 212 (9) and 212 (a) (17) of the Immigration and Nationality Act.

As deportation is a matter handled by the Immigration and Naturalization Service, Department of Justice, it is suggested that the committee may desire to communicate with that Service in order to obtain additional facts in the case.

At this time the Department has no knowledge of any factor in Mr. Johnsen's case, other than the information hereinbefore cited, which would render him ineligible to receive an immigrant visa. However, it should be borne in mind that any other ground of ineligibility which may come to light prior to visa issuance would preclude him from receiving a visa.

Sincerely yours,

ROLLAND WELCH,
Director, Visa Office.

Mr. Wharton, the author of H. R. 5816, appeared before a subcommittee of the Committee on the Judiciary and recommended the favorable consideration of his measure.

The committee has received numerous letters from the wife of the beneficiary of this bill urging the favorable consideration of her husband's case in order that the family may be permitted to return to the United States. Mrs. Johnsen also submitted the following statement in support of this legislation:

SEPTEMBER 17, 1955.

To Whom It May Concern:

This is to certify that we will have employment for Kare M. Johnsen as soon as he is available. He has been in our employ before and we have found him very honest, trustworthy, and satisfactory in all respects.

MARTIN & GEENE,
STEPHEN E. MARTIN.
By GLADYS K. GEENE, *Attorney.*

Antonio Lopez Aldama—H. R. 1397, by Mr. Price

The beneficiary is a 30-year-old native and citizen of Mexico who is the husband of a lawfully resident alien of the United States. He has never resided in the United States and was refused admission by a board of special inquiry at Laredo, Tex., in August of 1951 on the ground that he was not in possession of a valid immigrant visa. Mr. Aldama is inadmissible to the United States under the provisions of section 212 (a) (9) and (19) of the Immigration and Nationality Act because he stated that he was single, although he was in fact married, and because he endeavored to enter the United States by withholding material facts.

The pertinent facts in this case are contained in a letter dated June 21, 1955, from the Commissioner of Immigration and Naturalization, to the chairman of the Committee on the Judiciary. That letter and accompanying memorandum read as follows:

UNITED STATES DEPARTMENT OF JUSTICE,
IMMIGRATION AND NATURALIZATION SERVICE,
Washington 25, D. C., June 21, 1955.

Hon. EMANUEL CELLER,
*Chairman, Committee on the Judiciary,
House of Representatives, Washington, D. C.*

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 1397) for the relief of Antonio Lopez Aldama, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the St. Louis, Mo., office of this Service, which has custody of those files.

The bill would waive the provision of the Immigration and Nationality Act which excludes from admission into the United States aliens who have been convicted of, or admit having committed, a crime involving moral turpitude.

Sincerely,

_____, *Commissioner.*

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE ANTONIO LOPEZ ALDAMA,
BENEFICIARY OF H. R. 1397

Information concerning the beneficiary was furnished by the beneficiary's wife who resides at 839 Niedringhaus Avenue, Granite City, Ill.

The beneficiary, Antonio Lopez Aldama, a native and citizen of Mexico, was born in 1925. He is married to Maria Antonia Lopez Aldama. There are no children of the marriage, but Mrs. Aldama expects the birth of a child about July 4, 1955.

The beneficiary resides at Rio Grijalva No. 78, Guadalajara, Jalisco, Mexico. He is employed as a shoemaker in Guadalajara and earns about \$3 per day. He attended school for 1 year and served his apprenticeship as a shoemaker under his father. The beneficiary has no assets or personal effects. He has a brother and two sisters residing in Mexico.

The beneficiary has never been in the United States. He was excluded by a board of special inquiry at Laredo, Tex., August 2, 1951, on the ground that he was not in possession of a valid immigrant visa. He was later found to be ineligible for an immigrant visa by the American consul, Guadalajara, Mexico, after he admitted the commission of perjury in connection with his application for a visitor's permit. He appears to have testified that he was single and desired to enter the United States to visit an aunt, whereas he was actually married and intended to join his wife and reside in the United States.

The sponsor, Maria Antonia Lopez Aldama, wife of the beneficiary, was born in Mexico June 13, 1921, and was admitted to the United States for permanent residence February 29, 1944. She has been employed as a machine operator since June 1944, by the Monarch Manufacturing Co., St. Louis, Mo. Her assets consist of savings accounts in the amount of \$2,600.

Private bill H. R. 3134, 83d Congress, introduced for the relief of Mr. Aldama, failed of passage.

A memorandum of information from the Commissioner of Immigration and Naturalization with reference to this case, was submitted to the committee during the 83d Congress and reads as follows:

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE ANTONIO LOPEZ ALDAMA,
BENEFICIARY OF H. R. 3134

Information concerning the beneficiary of the bill, Antonio Lopez Aldama, was furnished by his wife, Maria Antonio Lopez-Aldama, a native and citizen of Mexico who resides at 839 Niedringhaus Avenue, Granite City, Ill. Mrs. Lopez-Aldama is the sponsor of the bill.

The beneficiary was born on September 13, 1925, at Ocotlan, Jalisco, Mexico. He was married to the sponsor in Mexico on June 14, 1951. They have no children.

The beneficiary is presently residing in Mexico and has not been able to obtain a visa for permanent residence because he committed perjury at the American consulate at Guadalajara, Jalisco, Mexico, during August 1951, in applying for a visitor's visa when he attested that he was single, although he was in fact married.

Mrs. Lopez-Aldama was lawfully admitted to the United States for permanent residence at Laredo, Tex., on February 29, 1944. She has only been able to live with the beneficiary for a total of 4½ months since her marriage, during visits in Mexico, and now resides with an aunt and uncle in Granite City, Ill., where she is employed as a machine operator with a certain company at an average salary of \$55 per week.

The sponsor testified that she has accumulated \$2,500 savings and is in a position to guarantee that the beneficiary would not become a public charge if he is allowed to enter the United States. She testified further that the beneficiary is a shoemaker by trade and believes that he would not have any difficulty obtaining employment in this country.

Mr. Price, the author of H. R. 1397, submitted the following statement and letter in support of his bill:

STATEMENT OF HON. MELVIN PRICE, 24TH ILLINOIS DISTRICT,
SUPPORTING H. R. 1397, FOR THE RELIEF OF ANTONIO
LOPEZ ALDAMA

Mr. Chairman, I respectfully urge the Subcommittee on Immigration of the House Committee on the Judiciary to give favorable consideration to H. R. 1397, for the relief of Antonio Lopez Aldama.

The wife of the beneficiary of this bill, Maria Antonio Lopez Aldama, resides in my congressional district at 839 Niedringhaus Avenue, Granite City, Ill. She recently received her citizenship papers on December 19, 1955, and has since her residence in the United States exercised fine ideals of American citizenship. She has been employed by the Monarch Manufacturing Co. in St. Louis, Mo., for over 10 years and has, through thrifty handling of her salary, accumulated savings to assure that her husband would not become a public charge.

A son, Toribio Lopez, was born to the subject and Mrs. Lopez on July 8, 1955, in Granite City, Ill.

I have given close personal attention to this case. I have checked with neighbors and civic leaders on this family, and I can give my personal assurance that these are the type of people who make our best citizens. I know of no one more appreciative of her American citizenship than Mrs. Lopez. I hope that the committee will feel as I do that it is important that we hold this family together, and that we permit them to live here in the United States contributing in their own way toward making this the kind of country that we believe it is. I have no hesitancy in making these recommendations and would not make them except on personal observation.

I feel strongly that a child should not be separated from his father, and I sincerely hope that the committee will report H. R. 1397, which will bring this young family together in one happy unit without further delay.

I respectfully request that the attached letter from Mrs. Lopez be included in the record.

GRANITE CITY, ILL., January 4, 1955.

HON. MELVIN PRICE,

House of Representatives, Washington, D. C.,

DEAR SIR: First I would like to wish you a very prosperous and successful year in 1956, and I hope that you will be able to continue to keep on doing the wonderful work that you have been doing in Congress.

Naturally, what with Congress starting up again, I guess you more or less expected to be hearing from me, but the main reason I am writing is the fact that I received my citizenship at the Belleville Courthouse, Belleville, Ill., on December 19, 1955. Needless to say, I am very happy and indeed grateful that I am among the fortunate to become an American citizen, of this you can be sure I appreciate.

The other reason I wanted to write was to let you know the date of the birth of my little boy, he was born at St. Elizabeth's Hospital July 8, 1955, and his name is Toribio Lopez, and if I didn't add the bit that he's adorable and so sweet, I wouldn't be the proud mother that I am.

Of course it goes without saying that once again I am hoping as hard as ever that this year will be the year that when the bill is introduced this year, it will be passed. As usual I want to thank you for all the effort that you have put forth and every courtesy that you have shown me and of course I don't have to add that any word from you will be greatly appreciated.

Sincerely,

ANTONIA LÓPEZ,
Mrs. Antonia Lopez.

Alice Mathews (nee Laife)—H. R. 1682, by Mr. Machrowicz

The beneficiary is a 30-year-old native of Albania who is now stateless. She is the wife of a citizen of the United States and the mother of one United States citizen child.

The pertinent facts in this case are contained in a letter, dated August 3, 1954, from the Commissioner of Immigration and Naturalization to the then chairman of the Committee on the Judiciary, regarding a bill (H. R. 7154) pending during the 83d Congress for the relief of the same person. That letter, and accompanying memorandum, reads as follows:

AUGUST 3, 1954.

HON. CHAUNCEY W. REED,

Chairman, Committee on the Judiciary,

House of Representatives, Washington 25, D. C.

DEAR MR. CHAIRMAN: In response to your request of the Department of Justice for a report relative to the bill (H. R. 7154) for the relief of Alice Petrides or Alice Defotiou or Alice Mathews, there is attached a memorandum of information concerning the beneficiary. This memorandum has been prepared from the Immigration and Naturalization Service files relating to the beneficiary by the Detroit, Mich., office of this Service, which has custody of those files. According to the records of this Service, the correct name of the beneficiary is Alice Mathews.

The bill provides that, notwithstanding the provision of the Immigration and Nationality Act which excludes from admission, an alien who seeks to procure, or has sought to procure, or has procured, a visa or other documents by willfully misrepresenting a material fact, the beneficiary may be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that act.

As the spouse of a citizen of the United States, the beneficiary, if otherwise admissible, is entitled to nonquota status in the issuance of an immigrant visa.

Sincerely,

_____, Commissioner.

MEMORANDUM OF INFORMATION FROM IMMIGRATION AND
NATURALIZATION SERVICE FILES RE ALICE PETRIDES OR
ALICE DEFOTIOU OR ALICE MATHEWS, BENEFICIARY OF
H. R. 7154

The beneficiary, Alice Mathews nee Liafe, a native of Albania, who now claims to be stateless, was born on June 29, 1925. She is married and last resided in Greece. The beneficiary entered the United States at the port of Miami, Fla. on March 28, 1950, when she was admitted for permanent residence under section 4 (a) of the Immigration Act of 1924.

On February 27, 1950 at Nassau, Bahama Islands, the beneficiary was married to George Nikolas Petrides, a naturalized citizen of the United States. On the basis of this marriage, a nonquota immigrant visa was issued to the beneficiary on March 27, 1950 in Nassau, and the beneficiary entered the United States with that visa on March 28, 1950. The above marriage was never consummated and on June 27, 1950 in superior court, Cook County, Ill., the marriage was annulled.

Deportation proceedings were instituted against the beneficiary on October 11, 1950 and she has been found to be subject to deportation under section 3 of the act approved May 14, 1937 as an alien who obtained a nonquota visa by fraud. The beneficiary has been requested to depart from the United States on or before October 14, 1954.

The beneficiary lived in Albania in her native town until 1944 and received an elementary school education. In 1944, the beneficiary fled to Athens, Greece, because of occupation of her native country by Communist forces. She lived in Athens, Greece with her mother and uncle from 1944 until she entered the United States in March of 1950.

On July 31, 1952 at Toledo, Ohio, the beneficiary was married to Steven J. Mathews, a United States citizen. She resides in Detroit, Mich., with her husband and infant child, born in Detroit, Mich., on August 5, 1953.

Steven J. Mathews, the husband of the beneficiary, is a partner in the Tropical Chili and Sausage Manufacturing Co., 1262 Michigan Avenue. He earns approximately \$135 a week and has assets of approximately \$15,000 which consists of the following: interest in his business, \$13,000; cash in the bank, \$2,000.

The Director of the Visa Office, Department of State, also submitted a report on this case which reads as follows:

DEPARTMENT OF STATE,
Washington, February 26, 1954.

HON. CHAUNCEY W. REED,
Chairman, Committee on the Judiciary,
House of Representatives.

MY DEAR MR. REED: Further reference is made to your letter of January 18, 1954, and its enclosures, wherein you request a report of the facts in the case of Miss Alice Petrides or Alice Defotiou or Alice Mathews, beneficiary of H. R. 7154, 83d Congress, 2d session.

A communication has been received from the American consulate at Windsor, which reports that this alien filed a preliminary application for an immigrant visa on December 5, 1952. At that time she stated that she was married to an American citizen, Mr. Steven Mathews of 3343 Yemans Avenue, Hamtramck 12, Mich. The latter's approved petition, which accords his wife nonquota status, is on file at the consulate.

It is further reported that, on the basis of the information available to the consulate, it appears that the case of Mrs. Mathews falls within the purview of section 212 (a) (19) of the Immigration and Nationality Act, which renders ineligible to receive a visa and excludable from the United States any alien who seeks to procure, or has sought to procure, or has procured a visa or other documentation, or who seeks to enter the United States by fraud, or by willfully misrepresenting a material fact. Information furnished the consulate by the Immigration and Naturalization Service indicates that Mrs. Mathews was the "subject of deportation proceedings * * * pursuant to warrant of arrest issued October 11, 1950, under act of 1937—nonquota visa obtained by fraud in contracting marriage judicially annulled."

At this time the Department has no knowledge of any factor in Mrs. Mathews' case, other than the information hereinbefore cited, which would render her ineligible to receive an immigrant visa. However, it should be borne in mind that any other ground of ineligibility which may come to light prior to visa issuance would preclude Mrs. Mathews from receiving a visa.

Sincerely yours,

EDWARD S. MANEY,
Director, Visa Office
(For the Secretary of State).

Mr. Machrowicz, the author of H. R. 1682, submitted the following statement in support of his measure:

MARCH 26, 1956.

STATEMENT OF HON. THADDEUS M. MACHROWICZ, REPRESENTATIVE, FIRST DISTRICT, MICHIGAN, IN SUPPORT OF H. R. 1682, A BILL FOR THE RELIEF OF ALICE PETRIDES OR ALICE DEFOTIOU OR ALICE MATHEWS

This bill provides that the above-named beneficiary may be admitted to the United States for permanent residence notwithstanding the provisions of the Immigration and Nationality Act.

She is a native of Albania and entered the United States at the port of Miami, Fla., on March 28, 1950, when she was admitted for permanent residence under section 4 (a) of the Immigration Act of 1924.

At that time she was married to George Nikolas Petrides, a naturalized citizen of the United States. On the basis of this marriage she received a nonquota immigrant visa and made her entry to the United States. This marriage was annulled in the Superior Court, Cook County, Ill., on June 27, 1950, and deportation proceedings were instituted against her on October 11, 1950, under section 3 of the act. Although it was alleged that the nonquota visa was obtained by fraud,

the only actual allegation of fraud was the fact of the aforementioned annulment of the marriage. No claim is made that she did not enter into the marriage contract in good faith or that at the time of her entry into the country there was any fraudulent intent on her part to have the marriage annulled.

The beneficiary lived in her native town in Albania until 1944 when she was compelled to flee to Athens, Greece, because of the occupation of her native country by Communist forces. She lived in Athens, Greece, with her mother and uncle until she left for the United States in March 1950.

On July 31, 1952, she was married again in Toledo, Ohio, to Steven J. Mathews, a United States citizen. She resides in Detroit, Mich., with her husband and infant child, born in Detroit, Mich., on August 5, 1953.

Her husband, Mr. Steven J. Mathews, is a partner in the Tropical Chili & Sausage Manufacturing Co. in Detroit, and has ample funds in which to support her and the child. He is an honest, loyal, and law-abiding citizen, and has a good reputation in the community.

It appears to me that any action which would compel this woman and child, wife of an American citizen, now to leave the country would be inhumane, particularly since the only basis for the deportation is a very technical charge not based upon any actual fraud whatsoever. I deem this to be a very deserving and meritorious case.

Upon consideration of all the facts in each case included in this joint resolution, the committee is of the opinion that House Joint Resolution 581, as amended, should be enacted and accordingly recommends that the resolution do pass.



